UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In The Matter Of:

STEVEN DAGGETT
STACEY DAGGETT
Debtors

Chapter 13
Case No. 05-22417

ORDER ON TRUSTEE'S MOTION TO DISMISS

This matter came for hearing on the trustee's motion, dated **March 19, 2010**, to dismiss the above Chapter 13 case. After notice and hearing and for good cause shown, it is **HEREBY ORDERED**:

[xxx] 1. The case is dismissed as of this date.

[ ] 2. The case is dismissed _________ days from the date of this order unless prior to that time a pleading is filed converting the case to a more appropriate chapter.

[ ] 3. The trustee shall monitor the case for a term of ________ months during which the debtor(s) shall comply fully with all Chapter 13 payment and reporting requirements. If the debtor(s) fail to comply with all of their Chapter 13 obligations, the case may be dismissed without further hearing. **Within 35 days of this Order, the Debtors shall file a motion to modify the plan to address any arrears (or otherwise seek such a modification of the plan).**

[ ] 4. The trustee shall monitor the case for a term of ________ months during which the debtor(s) shall comply fully with all Chapter 13 payment and reporting requirements and shall cure all accumulated arrearages. If the debtor(s) fail to comply with all of their Chapter 13 obligations and bring the case current on all payments, the case may be dismissed without further hearing.

If the case is dismissed, it is **FURTHER ORDERED** (a) that relief from stay is granted effective with the dismissal for any secured creditor with respect to its collateral, and (b) that the court expressly retains jurisdiction over any funds held by the trustee for the purpose of acting upon any application for fees for the debtor(s) attorney or other professionals employee by the estate. Any fees not sought by appropriate application filed within thirty (30) days of the date of dismissal shall not be allowed, whether such fees are to be paid by the debtors directly, from funds held by the trustee or from any other source. If no fee application is filed within thirty (30) days of the date of this Order, the trustee shall file an accounting and distribute such funds pursuant to law or other appropriate order of court.

Date: April 23, 2010

/s/ James B. Haines, Jr.
United States Bankruptcy Judge